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**UNITED STATES DISTRICT COURT****EASTERN DISTRICT OF TEXAS**

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UNITED STATES OF AMERICA

*versus*

ELVIN MARCELO RODRIGUEZ-CERNA

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CASE NO. 1:19cr179

**MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court referred this matter to the United States Magistrate Judge Keith F. Giblin for the administration of a guilty plea hearing. Judge Giblin conducted a hearing and issued his findings of fact and report and recommendation on the defendant's guilty plea. The magistrate judge recommended that the Court accept defendant's guilty plea. He further recommended that the Court finally adjudge defendant as guilty on Count One of the Indictment. The parties have not objected to the magistrate judge's findings.

The Court accepts the findings in the report and recommendation. The Court ORDERS that Judge Giblin's report (#23) is adopted. The Court accepts the defendant's guilty plea but defers acceptance of the plea agreement and plea agreement addendum until after review of the presentence report. It is finally ORDERED that defendant, Elvin Marcelo Rodriguez-Cerna, is adjudged guilty on Count One of the Indictment charging a violation of Title 8, United States Code, Section 1326(a), Unlawful Reentry by a Deported or Removed Alien.

SIGNED at Beaumont, Texas, this 31st day of March, 2020.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE